

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**TYRESE FORD**

**v.**

**ROBERT GILMORE and THE  
DISTRICT ATTORNEY OF THE  
COUNTY OF PHILADELPHIA and  
THE ATTORNEY GENERAL OF  
THE STATE OF PENNSYLVANIA**

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**CIVIL ACTION**

**NO. 17-5567**

**ORDER**

**NOW**, this 7th day of January, 2019, upon consideration of the Petition Under 28 U.S.C. § 2254 for Writ of *Habeas Corpus* (Document No. 1), the response to the Petition, the Report and Recommendation filed by United States Magistrate Judge Henry S. Perkin (Document No. 13), the petitioner's objections to the Report and Recommendation (Document No. 16), and after a thorough and independent review of the record, it is **ORDERED** that:

1. The petitioner's objections are **OVERRULED**;
2. The Report and Recommendation of Magistrate Judge Henry S. Perkin is **APPROVED** and **ADOPTED**;
3. The Petition for Writ of *Habeas Corpus* is **DISMISSED WITHOUT PREJUDICE**; and,
4. There is no probable cause to issue a certificate of appealability.

/s/TIMOTHY J. SAVAGE